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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Brian M. Kennedy, et al.
Serial No.: 09/504,247
Filed: February 15, 2000
Group No.: 3628
Examiner: Frantzy Poinvil
For: *System and Method for Allocating Manufactured Products to Sellers*

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION (37 C.F.R. §1.321 (c)) AND
CERTIFICATE UNDER 37 C.F.R. §3.73 (b)**

I, Robert C. Donohoo, Senior Vice President and Corporate Counsel, of i2 Technologies US, Inc., state: that i2 Technologies US, Inc. is the assignee and the exclusive owner of the entire right, title and interest of, in, and to application Serial No. 09/504,247, filed on February 15, 2000, for *System and Method for Allocating Manufactured Products to Sellers*, as indicated by the Assignment Records of the U.S. Patent and Trademark Office at Reel 012037, Frame 0376; that to the best of assignee's knowledge and belief, title is in the assignee seeking to take action; and that I am empowered to act on behalf of assignee.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Furthermore, I declare that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

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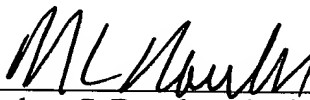
i2 Technologies US, Inc. hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of U.S. Patent No. US 6,188,989 B1 granted February 13, 2001, also assigned to and owned by said i2 Technologies US, Inc. as indicated by the Assignment Records of the U.S. Patent and Trademark Office at Reel 012025, Frame 0095, and of U.S. Patent No. 6,167,380 granted December 26, 2000, also assigned to and owned by said i2 Technologies US, Inc. as indicated by the Assignment Records of the U.S. Patent and Trademark Office at Reel 012025, Frame 0125, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent Nos. US 6,188,989 B1 and 6,167,380, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee and its successor or assigns.

i2 Technologies US, Inc., however, does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of U.S. Patent No. US 6,188,989 B1 in the event that one or more of the following occurs with respect to that patent, and does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of U.S. Patent 6,167,380 in the event that one or more of the following occurs with respect to that patent: the patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory terms as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The fee required by 37 C.F.R. 1.20(d) is submitted herewith and believed to be correct. However, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fees to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,

January 15, 2004
Date


Robert C. Donohoo, Senior Vice President
and Corporate Counsel